

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

1812 Ninth Street
Sacramento, California 95814-7000
(916)445-7254



98-9806

DATE: April 13, 1998

TO: All Individuals and Groups Interested in the Activities of the
Commission on Teacher Credentialing

FROM: Sam Swofford, Ed.D.
Executive Director

SUBJECT: Proposed Amendment of Sections 80043 and 80045 of Title 5,
California Code of Regulations, Pertaining to Eminence
Credentials

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined. The public hearing is scheduled on:

June 4, 1998
1:30 pm
Vizcaya Pavilion
2019 21 Street
Sacramento, CA

Statement of Reasons

Summary of Existing Laws and Regulations

Education Code Section 44262 provides that the Commission may issue an eminence credential to any person who has achieved eminence in a field of endeavor taught or service practiced in the public schools of California.

Section 80043 of Title 5 provides that the Commission shall be guided by the following definition of an eminent individual: The eminent individual is recognized as such beyond the boundaries of his or her community, has demonstrably advanced his or her field and has been acknowledged by his or her peers beyond the norm for others in the specific endeavor.

Section 80045 of Title 5 provides for a renewal process for individuals who were issued the initial two-year credential.

The amendment to Section 80043 will require a school district to demonstrate how an eminent individual will enrich the educational quality of the school district and give the Commission staff the authority to review and either forward to the Commission or deny eminence applications. This amendment also establishes an appeal process for those eminence applications denied by the Commission staff.

The amendment to Section 80045 clarifies that the Commission issues a three-year extension to the initial two-year Eminence Credential and places into regulation a procedure for the Commission to issue a Professional Clear Eminence Credential.

Purpose/Effect of Proposed Action

With the understanding that the eminence process includes a high degree of subjectivity, the Commission is proposing assigning Commission staff the authority to review an application for eminence and to communicate with a district if an application does not meet the definition of eminence as stated in Section 44262 of the Education Code and Section 80043(a) of Title 5 Regulations. For those applications where it is not clearly apparent that the application lacks sufficient evidence to support eminence, the application will be brought to the Commission for review. The Commission is the ultimate authority in granting applications, therefore it is important to note that staff does not make recommendations for eminence and that eminence requests presented by the staff to the Commission should not be considered as a staff recommendation for eminence. The proposed authority will assist staff in reviewing and preparing eminence applications for presentation and will help staff to communicate to the districts the documentation that is needed for the Commission's review. If the staff determines that an application for an Eminence Credential does not meet the eminence definition, staff would return the application to the district with a staff denial. The district would have the option to appeal the staff decision to the Commission.

The proposed regulations also address the need for a district to demonstrate how the eminent individual will enrich the education quality of the school district and not how her or she will fill an employment need.

Documents Relied Upon in Preparing Regulations

No reports were relied upon in preparing these regulations.

Documents Incorporated by Reference

No documents are Incorporated by Reference.

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments on the proposed actions. The written comment period closes at 5:00 p.m. on June 3, 1998.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Submission of Written Comments

A response form is attached for your use when submitting written comments to the Commission. Please send it to the Commission at 1812 9th Street, Sacramento, CA 95814-7000, so it is received at least one day prior to the date of the public hearing,

Public Hearing

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda. Please contact the Executive Director's office at (916) 445-0184 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

Modification of Proposed Actions

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Contact Person/Further Information

Inquiries concerning the proposed action may be directed to Dale Janssen, at (916) 323-5065. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. In addition, all the information on which this proposal is based is available for inspection and copying.

Attachments

Proposed Amendments and Additions to
California Code of Regulations, Title 5
Related to Eminence Credentials

§ 80043. Statement of Employment and Verification of Qualifications.

- (a) When considering an application for an Eminence Credential, the Commission shall be guided by the following definition of an eminent individual: The eminent individual is recognized as such beyond the boundaries of his or her community, has demonstrably advanced his or her field and has been acknowledged by his or her peers beyond the norm for others in the specific endeavor. The employing school district shall demonstrate how the eminent individual will enrich the educational quality of the school district and not how he or she will fill an employment need.
- (b) Pursuant to Section 44262 of the Education Code, issuance of an Eminence Credential shall be based upon a recommendation from the governing board of the school district, a statement of employment, submission of the fee(s) established in Section 80487 and a verification of the applicant's eminence qualifications.
- (1) The Statement of Employment in the district shall include the proposed assignment of the credential applicant, and a certification of the intention of the district to employ the applicant if granted an Eminence Credential.
- (2) The verification of eminence qualifications of an applicant for an Eminence Credential shall include:
- (A) Recommendations, which may be from, but need not be limited to, the following: professional associations; former employers; professional colleagues; any other individuals or groups whose evaluations would support eminence; and
- (B) Documentation of achievement, which may include, but need not be limited to, the following: advanced degrees earned; distinguished employment; evidence of related study or experience; publications; professional achievement; and recognition attained for contributions to his or her field of endeavor.
- (3) The Commission shall provide notice to the public of those individuals for whom it is considering issuing Eminence Credentials. Any association, group, or individual may provide the Commission with a written statement regarding the qualifications of an individual under consideration for an Eminence Credential.
- (c) The Commission may assign certification staff the authority to review eminence applications to determine if an individual meets the definition of eminence pursuant to Section 44262 of the Education Code and (a) above.
- (1) If staff concludes an applicant meets the definition, staff shall forward the application to the Commission for review and action at the next available meeting.

(2)If staff concludes an applicant does not meet the definition, staff shall deny the application.

(A)If the staff denies an application for eminence, the employing school district requesting the Eminence Credential may request the Commission to a review the staff decision.

(B)If the Commission takes action to hear the school district's application, it will be scheduled for a subsequent meeting when the Commission votes to grant or deny the Eminence Credential.

NOTE: Authority Cited: Section 44225, Education Code. Reference: Section 44262, Education Code.

§ 80045. Renewal of Eminence Credential.

(a)The Commission staff shall renew an Eminence Credential for three years upon receipt of an application for renewal with a written statement of support from the governing board of the school district adopted in a public meeting and submission of the fee(s) established in Section 80487.

(b)The Commission staff shall issue a Professional Clear Eminence Credential at the end of five years of possession of the Eminence Credential with a written statement of support from the governing board of the school district adopted in a public meeting, submission of an application and the fee established in Section 80487.

NOTE: Authority cited: Section 44225, Education Code. Reference: Section 44262, Education Code.

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1812 Ninth Street

Sacramento, California 95814-7000

(916) 445-0184

FAX (916) 327-3166



Attn.: Sam Swofford, Ed. D.
Executive Director

Title: **Eminence Credentials**

Section Nos.: 80043 & 80045

Response to the Attached Title 5 Regulations

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission office at the above address by 5:00 pm on June 3, 1998 in order that the material can be presented at the June 4, 1998, public hearing.

1. ☐ Yes, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. ☐ No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional _____ space is needed, use the reverse side of this sheet.)
3. ☐ Personal opinion of the undersigned. and/or
4. ☐ Organizational opinion representing: _____

(Circle One) School District, County Schools, College, University, Professional Organization, Other
5. ☐ I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. ☐ No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____

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